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## DECISION MEMO

### Potlatch River Boundary Fence Extension



USDA Forest Service, Northern Region  
Nez Perce-Clearwater National Forests  
Palouse Ranger District  
Latah County, Idaho



#### I. Decision

I have decided to approve the Potlatch River Boundary Fence Extension project (hereafter Project) on National Forest System lands on the Palouse Ranger District located in Township 42 North, Range 1 East, Section 32 (Boise Meridian).

The project is located on the Feather Creek Allotment, adjacent to Highway 3. The allotment boundary fence currently ends at a steep side hill. In the fall, when the pasture is in rotation, livestock can go around the fence and end up on the highway, where they can become a nuisance and a public safety hazard. For example, in October, 2015, a logging truck hit two cows and jackknifed, blocking the highway for several hours.

**Project Design / Equipment:** To restrict livestock from wandering onto Highway 3, the Forest Service is proposing to extend the existing boundary fence approximately 2100' (0.4 miles) along a dry ridgeline to tie in with the highway embankment. Ground disturbance will consist of pounding T-posts and digging holes for wood posts using a hand held power augur or small tracked augur. ATVs may be used to transport materials. All work will be done by the permittee.

**Project Implementation:** Work would begin either in the fall of 2016 or spring/summer of 2017 and take a few days to a week to complete.

##### Design Criteria

The project includes design criteria for wildlife identified below. The item is not all-inclusive, as Forest Plan standards are incorporated by reference (USDA Forest Service 1987, as amended).

- The bottom strand of fencing should be smooth wire, 16 inches from the ground.

#### II. Rationale for Decision and Reasons for Categorically Excluding the Decision

##### A. Category of Exclusion and Rationale for Using the Category

Based on information in this document and the project record, I have determined that no extraordinary circumstances affecting resource conditions exist (36 CFR 220.6), that this project may be categorically excluded from documentation in an EA or EIS, and that it meets all the criteria outlined for 36 CFR 220.6(e)(9) *Implementation or modification of minor management practices to improve allotment condition or animal distribution when an allotment management plan is not yet in place.*

### **Finding of No Extraordinary Circumstances**

In compliance with 36 CFR 220.6, the following resource conditions were considered in determining whether extraordinary circumstances exist to the resource conditions that could result in significant effects to the environment. Based on the findings for resource conditions described below, I have determined that no extraordinary circumstances are associated with my decision.

#### **1. Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species.**

The Forest Interdisciplinary (ID) Team Botanist determined the project would have “no effect” to federally listed plant species and/or their habitats, and that the project would have “no impacts” to R1 Sensitive species or their habitats.

The ID Team Wildlife Biologist determined the project would have “no effect” to Canada lynx or North American wolverine or their habitats. A “may adversely impact individuals or habitat” determination was made for flammulated owl, pygmy nuthatch, fisher, fringed, long-eared and long-legged myotis, gray wolf, and Western (boreal) toad. Overall, the effects would be minor, of short duration, and would not result in a loss of species viability in the planning area, nor cause a trend towards federal listing or a loss of species viability range wide.

The ID Team Fish Biologist determined the proposed actions would have “no effect” on bull trout, steelhead trout, and fall chinook salmon, federally threatened species, because the species and designated critical habitat do not occur within the project area. The biologist also determined the proposed actions would have “no impact” on R1 Sensitive species or their habitats since the species do not occur within the project area.

Based on the above assessment, no effects exist that will cause an incremental cumulative effect and no extraordinary circumstances were identified for these resources. For the complete analyses, see the Botany, Wildlife and Fishery Biological Assessments and Evaluations and specialists’ reports in the project record.

#### **2. Floodplains, wetlands, or municipal watersheds.**

No floodplains, wetlands, or designated municipal watersheds exist in the project area, therefore no direct, indirect or cumulative significant adverse effects to floodplains, wetlands or municipal watersheds are expected for this project. The proposed project is consistent with all applicable State and Federal water quality laws for water resources. The activities are also consistent with soil and water standards in the Clearwater National Forest Plan, including the PACFISH amendment. Based on this analysis, no extraordinary circumstances were identified regarding the effects to water quality of streams within the area; downstream waters; or resources in floodplains, wetlands, and municipal watersheds; thereby complying with EO 11988, EO 11990, and FSH 1909.15 Chapter 31.2.2.

#### **3. Congressionally designated areas, such as wilderness, wilderness study areas or national recreation areas.**

The project is not located in designated wilderness, a wilderness study area or Wild and Scenic River corridor; therefore, no extraordinary circumstances were identified to these resources.

**4. Inventoried roadless areas or potential wilderness areas.**

The project is not located within any Roadless Areas or potential wilderness areas, and therefore, no extraordinary circumstances were identified to these resources.

**5. Research Natural Areas.**

The project area does not include land designated as a Research Natural Area, and therefore, no extraordinary circumstances were identified to these resources.

**6. American Indians and Alaska native religious or cultural sites.**

The Forest Cultural Resource Specialist has determined the above project has little likelihood to adversely affect cultural properties. As a result, a *No Inventory Decision* has been made. Therefore, no extraordinary circumstances were identified to native religious or cultural sites.

**7. Archaeological sites, or historical properties or areas.**

The Idaho State Historic Preservation Officer, or the Forest Archaeologist via the use of the North Idaho Programmatic Agreement, has determined that no archaeological or historic property will be adversely affected by this project. Therefore, no extraordinary circumstances were identified to these resources.

**III. Interested and Affected Agencies, Organizations, and Persons Contacted**

On May 27, 2016, a letter providing information and seeking public comment was mailed to individuals, organizations, a variety of state and local agencies, and the Nez Perce and Coeur d'Alene Tribes. Three letters regarding this project were received during the public comment period and are addressed in Appendix A.

**IV. Findings Required by Other Laws**

Based on my review of the actions associated with this project, I find that this project is consistent with applicable Federal laws and regulations.

**National Forest Management Act and Clearwater National Forest Plan:** These actions are consistent with the Clearwater National Forest Plan (USDA Forest Service 1987, as amended,) as required by the National Forest Management Act of 1976 because they follow the standards and guidelines contained in those plans.

**National Historic Preservation Act:** A cultural resource records search has been conducted for this project. Based on the project description a "*No Inventory Decision*" has been made for this project per stipulation V(A) of the North Idaho Cultural Resource Programmatic Agreement. Therefore, this project meets the agency's responsibilities under the National Historic Preservation Act (16 USC 470), as amended, and is consistent with the *Programmatic Agreement between the Idaho State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Region 1 National Forests in Northern Idaho Regarding the Management of Cultural Resources*.

**American Indian Treaty Rights:** The Nez Perce and Coeur d'Alene Tribal staffs have had the opportunity to review the project for impacts to Nez Perce and Coeur d'Alene Tribes' Treaty rights or Nez Perce and Coeur d'Alene Tribal members' abilities to exercise those rights. The Nez Perce and Coeur d'Alene Tribes did not identify any concerns.

**V. Administrative Review and Appeal Opportunities, and Implementation Date**

This decision is not subject to appeal pursuant to Forest Service regulations 36 CFR Part 215.12(f) and may be implemented immediately.

**VI. Contact Person**

Questions regarding this decision should be sent to Jeff Chynoweth, Small NEPA Team Coordinator, c/o Nez Perce–Clearwater Supervisor's Office, 903 Third Street, Kamiah, Idaho 83536 or by telephone to (208) 935-4260 or FAX at (208) 935-4275 during business hours (M-F, excluding Federal holidays, 7:30 a.m. to 4:30 p.m., PST).

**VII. Signature of Deciding Officer**

  
STEFANI SPENCER  
Palouse District Ranger

  
Date

cc: Katlyn Howisey

Enclosures (1): Map

Map of the Potlatch River Boundary Fence Extension Project



